

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 14 July 2008

Case No.: 2008-TLC-00043

In the Matter of

BEAK & SKIFF APPLE FARMS,
Employer.

ORDER OF DISMISSAL

This matter arises under the temporary agricultural labor or service provision of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(H)(ii) (“Act”), as implemented by 20 C.F.R. Part 655. This case involves a June 30, 2008, request for a review of the Department of Labor’s June 26, 2008, denial of a temporary alien agricultural labor certification (H-2A) application filed by the Employer.

On July 11, 2008, the Certifying Officer (“CO”) submitted a statement of position. The CO has determined that, upon further consideration, the Employer’s application for temporary labor certification complies with the pertinent requirements. As a result, the CO will accept the Employer’s application.

As the CO’s decision to accept the Employer’s application precludes the need for a review of the record, this matter is hereby **DISMISSED. SO ORDERED.**

A

JOHN M. VITTON
Chief Administrative Law Judge